

Housing Quality Standards (HQS) Inspections

A. GENERAL PURPOSE

The OCHA is required by HUD regulations to inspect each rental unit to ensure that it is “decent, safe, and sanitary” according to Housing Quality Standards (HQS). The HQS are used to determine whether or not the unit is acceptable so the family can receive financial assistance for the rent.

The OCHA has adopted additional local requirements of acceptability defined below in Section B, of this chapter.

No unit will be initially placed on the Section 8 Rental Assistance Housing Program unless these standards are met. Units must also continue to meet the Housing Quality Standards for as long as the family remains in the unit with Housing Choice Voucher assistance.

Efforts will be made at all times to encourage owners to provide housing quality which exceeds HQS minimum standards.

There are five types of inspections the OCHA will perform:

Initial	Quality Control
Annual	Mobility
Special	

The Housing Quality Standards will take precedence over state and/or local housing codes unless approval to apply the more restrictive code(s) has been given by HUD’s local area office.

B. ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS

The OCHA adheres to the acceptability criteria in the program regulations and HUD Inspection Booklet with the following exceptions:

1. The OCHA will fail unsanitary conditions where exposed food, garbage, and excrement exists to a degree where health may be endangered.
2. A bedroom must have a floor area of not less than seventy (70) square feet and one openable window.
3. If the unit was constructed prior to 1978 and the family includes a child under six years of age, with an identified Elevated Blood Level condition indicating potential exposure to lead paint, the OCHA will conduct a visual assessment for deteriorated paint. Deteriorated paint includes any painted surface that is peeling, chipping, chalking, cracking, damaged or otherwise separated from the substrata. Referrals will be made as appropriate.
4. In rooms without an exterior exit door, if windows have hinged grills, one window per bedroom and living room must have an interior release mechanism with a permanently attached activator. No removable keys or any other removable release method is allowed.
5. Double-keyed locks are not acceptable on an exterior door.
6. Keyed locks on interior doors are not acceptable.
7. Microwave ovens may be substituted for an oven/stove.
8. The unit must show an address, which must be visible from the street.

9. The breaker box must have a cover to avoid exposed wiring.
10. Smoke detectors, (at least one battery-operated or hard-wired smoke detector) must be present and working on each level of the unit, including the basement, but not the crawl spaces and unfinished attic.

Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA 74 or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, smoke detectors must have an alarm system designed for hearing-impaired persons as specified in NFPA 74 (or successor standards). The cost of the smoke detector will be paid by the tenant.

If the unit was under HAP contract prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992 (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e. the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).

11. Water heaters must have a temperature-pressure relief valve and discharge line (directed toward the floor or outside of the living area) as a safeguard against build up of steam if the water heater malfunctions. The discharge line must reach from the top of the tank to within six inches of the floor. If not, they are not properly equipped and shall fail.

To pass inspection, gas or oil-fired water heaters must be vented into a properly installed chimney or flue leading outside. Electric water heaters do not require venting. The water heater must be properly braced, anchored or strapped to the wall. At least two (2) of the devices stated must be used. This applies (per California law) to all new, replacement and existing residential water heaters.

If it is impossible to view the water heater, verification of safety of the system must be obtained from the owner or manager.

Water heaters will pass the OCHA requirements if the water heater has passed a local inspection. This applies primarily to hot water that is supplied by a large scale complex water heating system that serves multiple units (e.g. water heating system in large apartment building).

12. Adequate heat shall be considered to be 60 degrees for all rooms used for living.

C. CLEARING DEFICIENCIES

The OCHA will schedule a timely inspection of the unit upon receipt of a Request for Tenancy Approval. The family and the owner will be notified of the results.

If the unit fails the Housing Quality Standards inspection, the family and owner will be advised to notify the OCHA once repairs are completed.

On an initial inspection, the owner will generally be given up to 15 calendar days to correct the items noted as "Fail" depending on the extent of the repairs that have to be made, unless there are extenuating circumstances. In any case, the owner will be required to complete the repairs by the lease start date.

The owner will generally be allowed up to two reinspections for repair work to be completed, at the Inspector's discretion, depending on the amount and complexity of work to be done.

If the 15 calendar days have elapsed (or the unit has failed on two reinspections if required by the Inspector) and the Voucher has expired, the family will be given an amount of time equal to the date of the signed RTA and the end of the 120 days Voucher Period.

If the Voucher has not expired and the time period given by the Inspector to correct the repairs (or two failed reinspections if required by the Inspector) have occurred, the family may select another unit.

If a unit fails at annual inspection, the family and owner will be advised to notify the OCHA once the repairs are completed. If the owner and/or tenant (if tenant caused damage or failure) do not make the required repairs or if the unit failed a second time upon reinspection, the HAP will be terminated and the tenant notified they will be required to move to another unit.

D. HQS FAILURE CAUSED BY FAMILY:

The family is responsible for HQS violations caused by the family. The OCHA may terminate assistance for violations of the lease, such as:

- Failing to pay for tenant-supplied utilities
- Failing to supply appliances required by the family under the lease
- Damaging the unit beyond normal wear and tear, including damage caused by guests or animals
- Being evicted for serious or repeated violations of the signed lease